

**UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF LAND MANAGEMENT  
HOLLISTER FIELD OFFICE**

**ENVIRONMENTAL ASSESSMENT  
DOI-BLM-CA-0900-2009-022-EA  
FLTFA Lands Sale (San Benito River)**

**DATE INITIATED:** October 1, 2008

**CONTROL NUMBER:** DOI-BLM-CA-0900-2009-022-EA

**CASE FILE/SERIAL NUMBER:** CACA 50168-13

**PROPONENT:** BLM

**PROJECT:** FLTFA Lands Sale

**LOCATION:** San Benito River, San Benito County

**AFFECTED ACREAGE:** 15.61 acres

**7.5' QUADRANGLE:** Paicines

**LAND STATUS:** Public

**SPECIAL DESIGNATION AREA:** NA

**AUTHORITY:** Federal Land Management and Policy Act (FLPMA),  
Federal Land Transactions Facilitation Act (FLTFA)

**LAND USE PLAN CONFORMANCE:**

The proposed action is subject to and in conformance with the Hollister Resource Management Plan of 2007 in accordance with Title 43 Code of Federal Regulations 1610.5-3. The management plan provides "the goal for lands and realty management is to provide lands, interests in land, and authorizations for public and private uses while maintaining and improving resource values and public land administration."

To achieve the goal for lands and realty management, the following objectives are established:

- Make public land available for disposal that meets the disposal criteria contained in Section 203(a) of the FLPMA;

## RELATIONSHIP TO OTHER PLANS, PROGRAMS, AND POLICIES

On July 25, 2000, Congress passed the Federal Land Transaction Facilitation Act (FLTFA), which authorized the Secretary of the Interior and the Secretary of Agriculture to retain a percentage of the funds received from land sales to use to purchase private lands in federally designated areas. The BLM is considering a number of lands sales in the Hollister Field Area to implement the RMP and raise funds to acquire land as authorized by FLTFA.

Windfield Ranch requested to purchase 15.61 acres of public land that is surrounded on three sides by Windfield Ranch in San Benito County. Maps of the parcels proposed for sale are attached to the end of this EA.

This environmental assessment addresses the proposed sale of 15.61 acres located T14S, R6E, Sec. 4, Lot 7 and Sec. 9, Lot 2.

## CONSISTENCY WITH LOCAL ZONING AND GENERAL PLAN:

Correspondence was submitted to the County offices on October 14, 2008 and no adverse comments were received concerning any planning or zoning issues.

## PURPOSE AND NEED FOR PROPOSED ACTION:

The purpose of the proposed action is to transfer small parcels of public lands into private ownership and to generate funds pursuant to the Federal Land Transactions Facilitation Act (FLTFA). The proposed action is needed to dispose of lands which are difficult and uneconomic to manage as part of the public lands and because the existing available funds in the FLTFA land disposal are not sufficient to purchase lands that have been nominated for acquisition in California.

The sale would implement a major goal of the RMP, to improve management of public lands, by disposing of scattered parcels while potentially raising funds which could be used to acquire lands in areas where Federal management for recreation and resource enhancement is appropriate.

## RANGE OF ALTERNATIVES:

### Alternative 1: Proposed Action

The proposed action is a direct sale of two parcels of public lands that are approximately 10.1 acres and 5.5 acres, respectively, described as:

T. 14 S., R. 6 E., Section 4, Lot 7; and T. 14 S., R. 6 E., Section 9, Lot 2, MDM

The parcel is proposed to be sold to the adjacent property owners to be incorporated into the Windfield Ranch. The Windfield Ranch would purchase the parcel from the United States

(U.S.) for not less than \$16,000.00 which is the appraised fair market value of the land. The proposed sale would include the conveyance of both the surface and mineral interests of the United States and reservation to the United States for ditches and canals.

### Alternative 2: No Action

Under the no action alternative, the proposed sale would not occur and the parcel would be retained in federal ownership for the foreseeable future. Existing management and use of the site would continue subject to applicable statutes, regulations, policy and land use plans.

The Federal land parcel would continue to be available for disposal pursuant to the Hollister RMP (2007). Other sales or exchange opportunities would be considered in order to benefit acquisition of private property within a designated managed unit identified in the RMP. The Federal lands would be re-opened to the location of mining claims and locatable mineral development (subject to appropriate BLM regulations for administration of the 1872 General Mining Law).

### Alternatives Considered but not Analyzed in Detail:

BLM considered other public lands in San Benito County for possible sale. In evaluating other public lands for possible sale, the BLM considered such factors as conformance with the Hollister RMP, expected land values, market interest, physical and legal access, existing resource issues and information and management efficiencies. Ultimately the public lands BLM is proposing for sale at this time were selected for the following reasons: 1) the lands were identified for disposal in the 1984 Hollister RMP and remain available for sale under the 2007 Hollister RMP revision, 2) existing resource information indicated the lands had no important resource values, and 3) the lands had no physical or legal public access. BLM may in the future consider other public lands for sale that were not considered in detail in this environmental assessment.

At this time, BLM believes a direct sale is the best way to achieve BLM's management objectives and, based on the lack of public interest, BLM does not believe competitive bid sale for the public lands described above is an alternative requiring further consideration.

## AFFECTED ENVIRONMENT

Affected Critical Element	Yes	No	Affected Critical Element	Yes	No
Air Quality		X	Native American Values		X
ACEC/RNA		X	Special Status Species		X
Cultural Resources		X	Vegetation		X

Affected Critical Element	Yes	No	Affected Critical Element	Yes	No
Environmental Justice		X	Wastes, Hazardous/Solid		X
Farmlands, Prime/Unique		X	Water Quality (ground/surface)		X
Fish and Wildlife		X	Wetlands/Riparian Zones		X
Floodplains		X	Wild & Scenic Rivers		X
Invasive Weeds		X	Wilderness		X

The following elements of the human environment, subject to review specified in statute, regulation or executive order, are not located within the project area: Ecologically Critical Area, Floodplains, Prime or Unique Farm Lands, Wetlands and Riparian Zones, and Wild and Scenic Rivers, Wilderness, or Areas of Critical Environmental Concern. (ACEC).

### Lands & Realty

The Hollister Field Office administers approximately 284,000 acres of Bureau of Land Management (BLM) public lands, primarily located in Monterey, San Benito, and western Fresno counties. Many of the other public lands managed by the Hollister Field Office in San Mateo, Santa Clara, Santa Cruz, Alameda, Contra Costa, Stanislaus, and Merced counties consist of small, scattered parcels with little to no public access and are commonly used for unauthorized activities such as illegal dumping, illicit drug operations, and some limited non-motorized recreational opportunities (i.e. hunting, target shooting, etc.).

In 2007, the Bureau of Land Management (BLM) approved the Record of Decision (ROD) for the Hollister Resource Management Plan (RMP) providing guidance for management of public lands administered by the Hollister Field Office. The RMP identified the need to pursue land tenure adjustments to ensure more efficient management of the public lands, to reduce conflicts with other public and private landowners, and to provide more consistency and logic in land use patterns within the Hollister Resource Area.. As a result, the 2007 ROD identifies a total of approximately 46,500 acres of public lands for disposal in Section 3.12.2. Figures 22-27 in the 2007 ROD show where these parcels are located.

The 2007 ROD also directs BLM to acquire lands with high resource values, including biological resources and recreation opportunities, especially in special management areas, including wilderness study area (WSAs) and Areas of Critical Environmental Concern (ACECs). Other management actions, including LTEN-C5, LTEN-C6, & LTEN-C7 (ROD, pg. 3-37), describe stipulations for public lands available for disposal and other provisions for

acquiring lands from willing sellers to enhance management efficiency or to contribute to the fulfillment of resource management goals and objectives.

## Air Quality

San Benito County is in the North Central Coast Air Basin, which also includes Santa Cruz County.

Air quality in the North Central Coast Air Basin is managed by the Monterey Bay Unified Air Pollution Control District (MBUAPCD). The North Central Coast Air Basin is a nonattainment area for the State Ambient Air Quality Standards for ozone. However, air quality in the project area tends to be good overall due to its remote nature, located away from the urban and industrial development of the larger cities in the District.

The MBUAPCD has adopted smoke management plans to control the emissions of NO<sub>x</sub>, ROG, and particulate matter from various types of vegetation burning (MBUAPCD 2004). Prescribed burns and agricultural burning are conducted regularly in the air basin (FEIS 2006, pg. 3.1-5).

## Surface and Ground Water Quality

Surface and ground water conditions are a direct result of intermittent rainfall, soil development, vegetation types and slope conditions. This parcel contains a small portion of the San Benito River. The current impairments (303.d list) for this water body are due to biological contaminants (fecal coli form, source unknown) and siltation and sedimentation due to resource extraction. However, this parcel is fenced to control livestock grazing from degrading the riparian zones and the slope of this parcel is generally flat, so accelerated erosion is not occurring.

## Soils

Soil series (Isgrig, 1969) within the parcel include the following:

Soil series	Slope	Erosion Hazard	Unit	Soil survey
Metz sandy loam	0-2%	None - Slight	MeA	San Benito County, 1969
Mocho loam	2-9%	Slight - Moderate	MpC	San Benito County, 1969
Pleasanton loam	2-5%	Slight	PtB	San Benito County, 1969
Pleasanton gravelly loam	5-9%	Moderate	PvC2	San Benito County, 1969
Terrace escarpments	20-75%	High - Very high	TeF	San Benito County, 1969

Slope on this narrow parcel is level to gentle. Soil erosion hazard is slight to moderate.

## Biological Resources

### Fish and Wildlife

The site is an open pasture bordered by mature valley oak savannah and includes a portion of the bank and waterway of San Benito River. The site provides habitat for wildlife species typical of California foothills, including Columbia black tailed deer (*Odocoileus hemionis*), red-tailed hawk (*Buteo jamaicensis*), mountain lion (*Puma concolor*), coyote (*Canis latrans*) and various small mammals, songbirds, reptiles, and insects. Additionally, fish common to the effected reach of the San Benito River are likely present, including hitch (*Lavinia exilicauda*) and Sacramento sucker (*Catostomus occidentalis*). Introduced bullfrogs (*Rana catesbeiana*) are present on the site.

### Vegetation

The San Benito River parcel contains three primary vegetation series including California annual grassland, blue oak and mixed willow. California annual grassland is the dominant vegetation series (Sawyer and Keeler-Wolf 1995).

### Special Status Species

According to the California Natural Diversity Database (CNDDDB), no listed plant species are known to exist on the San Benito River parcel. No listed plant species were observed during the site visit in early spring. A record of CNPS list 1B Indian Valley bush mallow (*Malacothamnus aboriginum*) exists for a private parcel approximately 3 miles north of the San Benito River parcel. No Indian Valley bush mallow or other CNPS list 1B plant species were observed on the parcel during the site visit.

Both California tiger salamanders (*Ambystoma californiense*) and California red-legged frogs (*Rana draytonii*) are known from multiple localities surrounding the project site at distances of between three and four kilometers. The river provides slow-moving aquatic habitat with emergent vegetation and is therefore ideal breeding habitat for red-legged frogs. No breeding habitat for California tiger salamanders is present on the site. Western pond turtles (*Actinemys marmorata*), a BLM sensitive species, are not recorded from the site but can be expected in the river. California condors (*Gymnogyps californianus*) would be increasingly expected to feed or fly over the site as the Pinnacles population increases.

### Noxious and Invasive Plants

Typical invasive grass species that occur within the California annual grassland include ripgut brome (*Bromus diandrus*), red brome (*Bromus madritensis*), soft chess (*Bromus hordeaceus*), and filaree (*Erodium* sp.). Other noxious and invasive plant species observed on the parcel include tamarisk (*Tamarix* sp.) and hoary cress (*Cardaria draba*) which occur within the San Benito River riparian zone at the south end of the parcel.

### Cultural Resources and Native American Values

There are no known cultural or archeological resources on this parcel. Expected cultural resource types in this region would be prehistoric activity or habitation sites attributed to the

Costanoan/Ohlone California Indians or historic ranching and/or homestead sites from the 19<sup>th</sup> and early 20<sup>th</sup> centuries. There are no known Native American values associated with this particular parcel.

### Environmental Justice

No minority communities or low income communities are located within or adjacent to the proposed project areas.

### Hazardous or Solid Wastes

An Environmental Preliminary Analysis was completed on December 1, 2009 by Hollister Field Staff. No evidence of “recognized environmental conditions” (RECs) was discovered.

## ENVIRONMENTAL CONSEQUENCES: Proposed Action

### Lands & Realty

The proposed action would provide minor long-term benefits BLM’s lands and realty program because it would allow the Hollister Field Office to dispose of a scattered parcel that is difficult and uneconomic to manage as part of the public lands and because the existing available funds in the FLTFA land disposal are not sufficient to purchase lands that have been nominated for acquisition in California. The proposed land sale would also support a major goal of the RMP, to improve management of public lands, and potentially raising funds which could be used to acquire lands in areas where Federal management for recreation and resource enhancement is appropriate.

Under the proposed action, funds generated from the sale of the public lands would be available for future acquisitions of lands from willing sellers to support the goals and objectives outlined in the Hollister RMP (2007). Therefore, the proposed action would have the indirect beneficial impacts of increasing recreation opportunities and increased maintenance of significant values, such as special status species habitat.

Overall, the proposed actions would have a major long-term beneficial impact on lands and realty administration because it would assure more efficient management of public lands, reduce conflicts with other public and private landowners, and provide more consistency and logic in land use patterns within the Planning Area.

### Air Quality

The sale of this parcel is not expected to change the existing air quality conditions.

### Surface and Ground Water Quality

If the parcel continues to be used for grazing, there will be no expected change to the existing surface and ground water conditions.



## Soils

Development or conversion of the parcel to agriculture may result in adverse impacts including soil compaction and erosion. If the parcel continues to only be used for livestock grazing, soil condition would not significantly change from its current condition.

## Biological Resources

### Fish and Wildlife

If the parcel were to be converted to agriculture or housing, wildlife values would be considerably reduced. If the property remains as pasturage for cattle, no change in the baseline for fish and wildlife would occur.

### Vegetation

Development or conversion of the parcel to agriculture would result in vegetation removal. If the parcel continues to only be used for livestock grazing, vegetation condition should not significantly change from its current condition.

### Special Status Species

Due to the reasonably foreseeable future use of the property, the proposed action would have no adverse effects on special status species that occur in the region when compared to the existing conditions.

Funds generated from the sale of the public lands would be available for future acquisitions of lands from willing sellers to preserve high quality habitat for special status species. Therefore, the proposed action would have minor indirect beneficial impacts on special status species and their habitat.

### Noxious and Invasive Plants

Development or conversion of the parcel to agriculture may introduce invasive species or increase the abundance of existing invasive species. If the parcel continues to only be used for livestock grazing, noxious and invasive species presence and abundance should not significantly change from its current condition.

## Cultural Resources and Native American Values

No archeological or cultural resources were identified within the Area of Potential Affect (APE). One Native American tribe (Amah Mutsun) and individual did express some interest in the parcel to the extent that the BLM should be aware that public lands adjacent to the San Benito River are important to the Native American community. However, since the parcel proposed for disposal does not have legal public access there was no objection to the sale. The Proposed Action would not adversely affect archeological, cultural, or Native American values.



## Environmental Justice

The proposed action would not in disproportionately high or adverse human health or environmental effects on low-income or minority communities.

## Hazardous or Solid Wastes

Due to the absence of any hazardous or solid wastes from the site, no impacts would be expected from the land sale.

## MITIGATION MEASURES

No mitigation measures have been identified.

## ENVIRONMENTAL CONSEQUENCES: No Action Alternative

Under the no action alternative, the public land would not be sold to Windfield Ranch, but would still be available for disposal pursuant to the Hollister RMP (2007). No active BLM management is anticipated. Funds from the sale would not be placed in the FLTFA land disposal account and San Benito's County tax base would not benefit from the transfer of these lands.

## CUMULATIVE IMPACTS

Cumulative impacts are those impacts on the environment which result "from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions." (40 CFR 1508.7). In this case, past and presently on-going actions and activities in the project vicinity include the following:

BLM is considering a number of lands sales in the administrative boundary of the Hollister Field Office under the FLTFA. Specifically, the Hollister Field Office is considering 15 parcels of land for disposal that total 528.96 acres of public lands that would potentially be sold through competitive bid or direct sale

In analyzing cumulative impacts, BLM considered existing environmental information as a relevant baseline for considering future impacts and has not attempted to list past actions in the area. The baseline information identified in the affected environment (above) is considered sufficient for determining the significance of cumulative effects and for making a reasoned choice between alternatives.

BLM has also not attempted to exhaustively list all present and reasonably foreseeable private actions, but has considered a summary of planned development from San Benito County's General Plan (1995). The parcel proposed for sale is in the San Benito River watershed and the impacts of the proposed sale are primarily relevant or important only within this region.

The appropriate geographic area for considering cumulative effects is based on whether the incremental impacts of the proposed sale would be felt locally, regionally or nationally. The incremental impact of increased water usage, although difficult to quantify, would also most likely be limited to the San Benito River watershed. Incremental impacts to biological resources would be negligible because the existing condition of the parcel would remain unchanged. The incremental impacts on aesthetics/visual resources would also be negligible because the existing condition of the parcel would remain unchanged.

The Final EIS (2006) determined cumulative impacts from management of lands and realty are limited to indirect on-the-ground impacts on other resources such as aesthetics, water quality, and biological resources that would occur as a result of land use authorizations. These impacts, combined with impacts from previous land acquisitions and improvements as well as the existing land uses and impacts, would cause localized and permanent cumulative impacts on those resources. These impacts are described in each respective resource section of Chapter 4.

Funds generated from the sale of the public lands would be available for future acquisitions of lands from willing sellers to support the goals and objectives outlined in the Hollister RMP (2007). Therefore, it is reasonably foreseeable that the proposed action would lead to future acquisitions that would off-set the reduction of public land acres as a result of disposal and even potentially lead to an increase in the amount public lands in the Hollister Resources Area.

Potential off-site impacts, if any, are expected to be minor and would largely depend on the public lands disposals and acquisitions carried through. For example, acquisitions of areas with high recreation potential could result in off-site impacts on local access roads. Additionally, land use authorizations, including communications, utility corridors, and energy development, could also result in off-site impacts on local access roads.

Overall, these land tenure adjustments would have a long-term beneficial effect on BLM's lands and realty program because they would promote management efficiency and improve opportunities for multiple use management of public lands.

## REFERENCES

- Isgrig, D. 1969. Soil survey of San Benito County, California. United States Department of Agriculture, Soil Conservation Service, Sacramento, California, USA. 111 pp. + Appendix.
- Sawyer, J. O., and T. Keeler-Wolf. 1995. A manual of California vegetation. California Native Plant Society. Sacramento, California, USA. 471 pp.

## CONSULTATION

Mr. Richard Larios – Costanoan/Ohlone individual  
Mr. Valentin Lopez, Chairperson – Amah Mutsun Tribe

## LIST OF PREPARERS

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## NOTIFICATION

Notification of the proposed action and analysis has been posted on the Hollister Field Office web page during its undertaking.

## DOCUMENT REVIEW

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Planning and Environmental Coordinator

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Date





